BILL NO. Z-87-06-35

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B (General Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot #154 and Lot #155 in Industrial Park Addition as recorded in the Plat thereof in the Office of the Recorder of Allen County, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No. N-7, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second ti by title and referred to the Committee Regulations (and the C Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wa Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,

DATE: 6-23-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on it passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	____	____	_____	_____	_____
BRADBURY	____	____	_____	_____	_____
BURNS	____	____	_____	_____	_____
EISBART	____	____	_____	_____	_____
GiaQUINTA	____	____	_____	_____	_____
HENRY	____	____	_____	_____	_____
REDD	____	____	_____	_____	_____
SCHMIDT	____	____	_____	_____	_____
STIER	____	____	_____	_____	_____
TALARICO	____	____	_____	_____	_____

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

_____
SANDRA E. KENNEDY, CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the _____ day of _____, 19____ at the hour of _____ o'clock _____.M.,E.S.T.

_____
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock _____.M.,E.S.T.

_____
WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

№ 1194

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 19

RECEIVED FROM $

THE SUM OF DOLLARS

100

ON ACCOUNT OF

AUTHORIZED SIGNATURE

MATT D. PRICE
Realtor Associate

TELEPHONE 423-4444
RESIDENCE 637-5162
AREA CODE 219
202 W. BERRY ST.
FORT WAYNE, IN 46802

MIKE THOMAS ASSOCIATES Realtors

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE B 3 B

THIS IS TO BE FILED IN DUPLICATE

I/We X Margaret L. Haynes
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-2 District to a/an B 3 B District the property described as follows:

lot # 154 and lot # 155 in Industrial Park Addition as recorded in the plat thereof in the office of the recorder of Allen County, Indiana.

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

lot # 154 is 2715 S. Hanna St.

lot # 155 is 2719 S. Hanna St.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
X Margaret L. Haynes	Bld. #10 2121 Chartwell Dr., Ft. Wayne, IN, 46818	X Margaret L. Haynes

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whi it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the mat for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
X Matt Price	202 W. Berry St. Ft. Wayne, IN 46802	423-4444

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street. Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hear approximately ten (10) days prior to the meeting.

RECEIVED AUG 06 1987

ROMERO & THONERT
ATTORNEYS AT LAW
218 WEST BERRY STREET
FORT WAYNE, INDIANA 46802
(219) 424-3336

FREDERIC L. ROMERO
RICHARD J. THONERT
HOWARD F. HANSON, JR.

AUBURN OFFICE
111 EAST NINTH STREET
AUBURN, INDIANA 46706
(219) 925-1932

July 30, 1987

Mrs. Janet Bradbury
Fort Wayne City Counsel
City-County Building
Fort Wayne,IN 46802

RE: Bill No. Z-87-06-35

Dear Mrs. Bradbury:

At this time, on behalf of Mr. Mike Mitchell, I would like to withdraw the referenced bill for rezoning of certain parcels of the Industrial Park Addition. We have been able to obtain variances for the property that will enable us to pursue the objective sought through the rezoning process with far less intrusive results.

Again I would like to thank you, the city administration, and the members of the city counsel on behalf of Mr. Mitchell for the attention given to this matter and the response we have received. The use of the property will be beneficial to the community and is clearly representative of the strides that the city of Fort Wayne is making to improve and enhance underdeveloped locations.

Again, thank you very much for your help and your cooperation.

Very truly yours,

COPY

Hugh N. Taylor

HNT/mbf
cc: Michael Mitchell
Greg Purcell - Director of Economic Development
City of Fort Wayne

SUMMARY SHEET & ECONOMIC DEVELOPMENT RECOMMENDATION
FOR
"ECONOMIC REVITALIZATION AREA"
IN
CITY OF FORT WAYNE, INDIANA

Name of Applicant: Independence Realty (R.U.S.H. Solution Service, Inc.)

Site Location: Lot 32 Centennial Park, Section V
Fort Wayne, Indiana 46808

Councilmanic District: 3rd Existing Zoning: M -2

Nature of Business: Sale & Service of X-ray generating and processing equipment.

Project is located in the following:

	Yes	No
Designated Downtown Area		X
Urban Enterprise Zone		X
Redevelopment Area	X	
Platted Industrial Park	X	
Flood Plain		X

Description of Project:
Construction of a 10,000 square foot pre-engineered building with 2,000 square foot of office area, parking lot and truck dock.

Type of Tax Abatement: Real Property X Manufacturing Equipment

Estimated Project Cost: $ 300,000.00 Permanent Jobs Created: 9

.....

STAFF RECOMMENDATION:
As stated per the established policy of the Division of Economic Development, the following recommendations are hereby made:

1.) Designation as an "Economic Revitalization Area" should be granted. X Yes No
2.) Designation should be limited to a term of 1 year(s).
3.) The period of deduction should be limited to 6 year(s).

Comments: This is a very specialized industry which we feel has a strong future in Ft. Wayne, therefore it is our intent to assist them in any way possible with their new facility.

Staff [signature]
Date 7-29-87

Director [signature]
Date 7/30/87

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. ____ DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 2715 & 2719 So Hanna Street

3-87-06-25

EFFECT OF PASSAGE Property is presently zoned R-2 - Two Family Residential.
Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

FACT SHEET

,Z-87-06-35

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

From R-2 to B-3-B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

2715 & 2719 So Hanna Street

Reason for Project

Expansion of existing business.

Discussion (Including relationship to other Council actions)

15 June 1987 - Public Hearing

Hugh Taylor, representing the prospective buyer Mike Mitchell, stated that the issue was whether or not the proposed land use is consistent with zoning objectives. He stated zoning objectives are to insure a usage of the property which is in the best interest of the community, to segregate undesirable activities to certain locations and to preserve or upgrade the property. He stated that Mr. Mitchell through the purchase of these properties will do at least three things. He stated it will enhance the attractiveness of the area, it will eliminate an eyesore that is on the property presently, and he is going to provide services for the community in an aesthetically pleasing environment. He stated that they have a questionnaire with 300 signatures from people in the area saying that they would use the services that would be provided by Mr. Mitchell. He stated the rezoning will provide the community with an expanded food and drink market and it will provide an opportunity for a member of that community to expand his business. He stated that presently there is a small market and package store on B3B zoned

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Margaret Haynes **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against** -encourage commercial encroachment -adverse impact on area
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to condition (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pas

DETAILS

property the expansion of the building will be staged so that the construction in the area will have minimal impact. He stated that if the Commission feels that the B3B zoning is not compatible for that area they would be more than willing to look at a B1B zoning. He felt that would adequately cover the grocery market and package store in that area.

Steve Smith questioned if the 2-story home on one of the lots in question was the eyesore that Mr. Taylor was referring to. He questioned if that would be torn down.

Mr. Taylor stated that eventually the home would be torn.

Steve Smith questioned what the proposed use would be for the property if it is rezoned.

Mr. Mitchell stated that he wanted to extend the grocery store and the parking lot.

Janet Bradbury questioned what they intend to do with the home until such time as they are ready to expand.

Mr. Mitchell stated that they will keep the home as it is now, but right now the garage is coming down, that is the eyesore.

Mrs. Bradbury questioned if the house was vacant.

Mr. Mitchell stated that there are tenants in the house presently.

The following persons spoke in favor of the proposed rezoning.

Project Start **Date** 5/15/87

Projected Completion or Occupancy **Date** 6/25/87

Fact Sheet Prepared by **Date** 6/25/87

Patricia Biancaniello

Reviewed by **Date**

6/26/87

Reference or Case Number

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Mr. Willie Blackmon, 2107 Drexel
Mr. Reggie Pearson, 2815 E. Maple Grove
Cheryl King, 3415 Robinwood Dr

They felt that Mr. Mitchell's business has been a service to the community and the people and would like it to continue to do so It was also stated that this area has a lot o low income families who do not have access to a large shopping area. They felt it would also serve as an inspiration for future business development in the area. It was stated that it has provided job opportunities in the community, has kep community dollars in the community and it has helped the beautification program that is going on in th area.

Steve Smith stated that in that the staff recommendation is a do not pass recommendatio because they felt there were no mitigating circumstances. He stated that between now and the business meeting the staff could incorporate the thought that the city has been trying to expand and develop the Pontiac Street Commercial Corridor extensivel He stated there is a lot of investment there with CD loans and this appears to be a service to the community. He stated perhaps the Commission could look at that as a mitigating circumstance.

It was pointed out that application to the BZ to locate a parking lot would be more appropriate.

No one else was present to speak about the ca

22 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommend-ation.

Of the 6 members present 5 voted in favor of denial one (1) did not vote.

Motion carried.

Held for 8/4/87

BILL NO. Z-87-06-35

REPORT OF THE COMMITTEE ON REGULATIONS

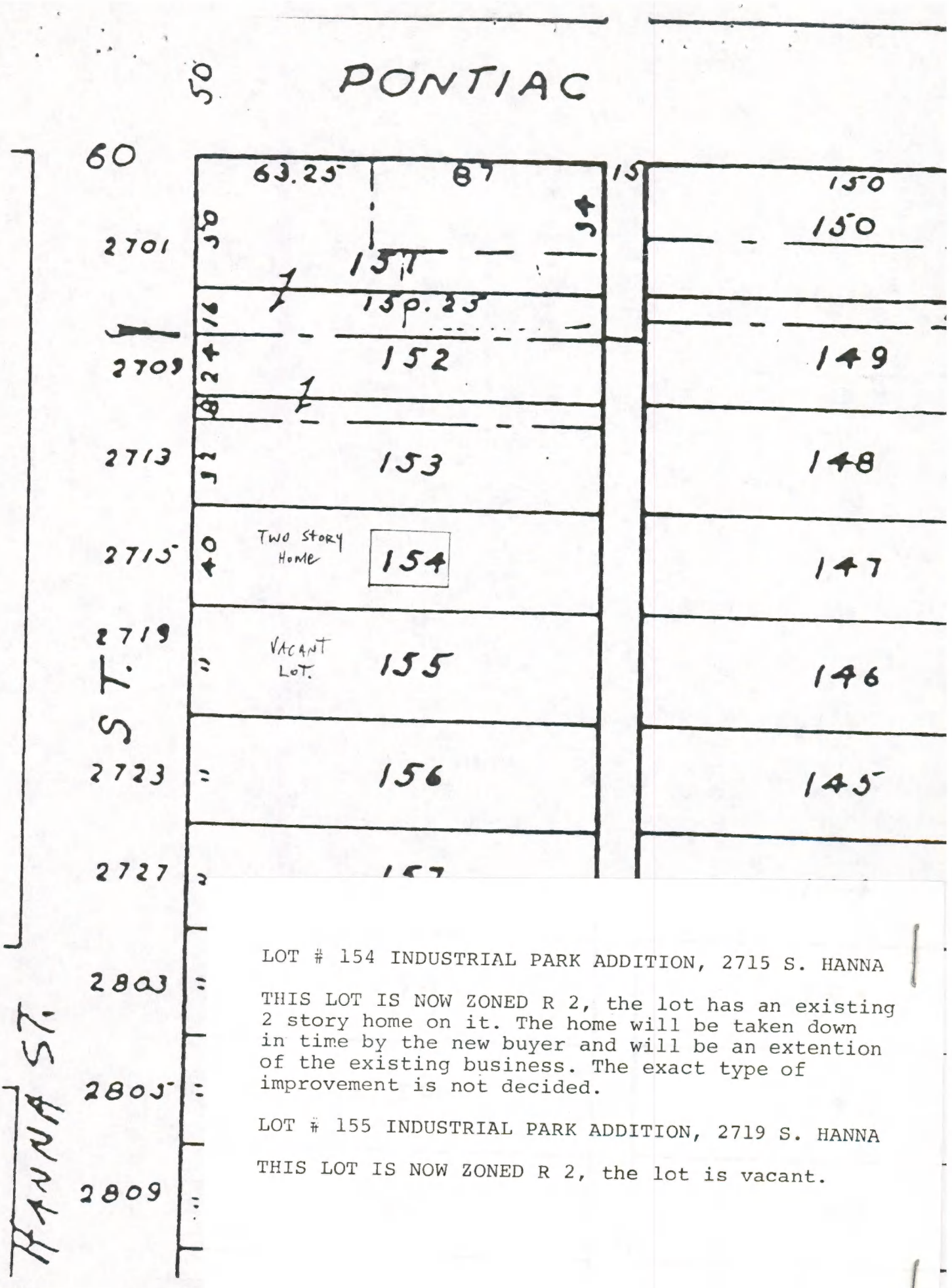
WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. N-7

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~ Do Pass

YES		NO
Janet G. Bradbury	JANET G. BRADBURY CHAIRPERSON	
	CHARLES B. REDD VICE CHAIRMAN	
	THOMAS C. HENRY	
	PAUL M. BURNS	
	BEN A. EISBART	

CONCURRED IN _____

SANDRA E. KENNEDY
CITY CLERK



LOT # 154 INDUSTRIAL PARK ADDITION, 2715 S. HANNA

THIS LOT IS NOW ZONED R 2, the lot has an existing 2 story home on it. The home will be taken down in time by the new buyer and will be an extention of the existing business. The exact type of improvement is not decided.

LOT # 155 INDUSTRIAL PARK ADDITION, 2719 S. HANNA

THIS LOT IS NOW ZONED R 2, the lot is vacant.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 23, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-06-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 15, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 22, 1987.

Certified and signed this
25th day of June 1987.

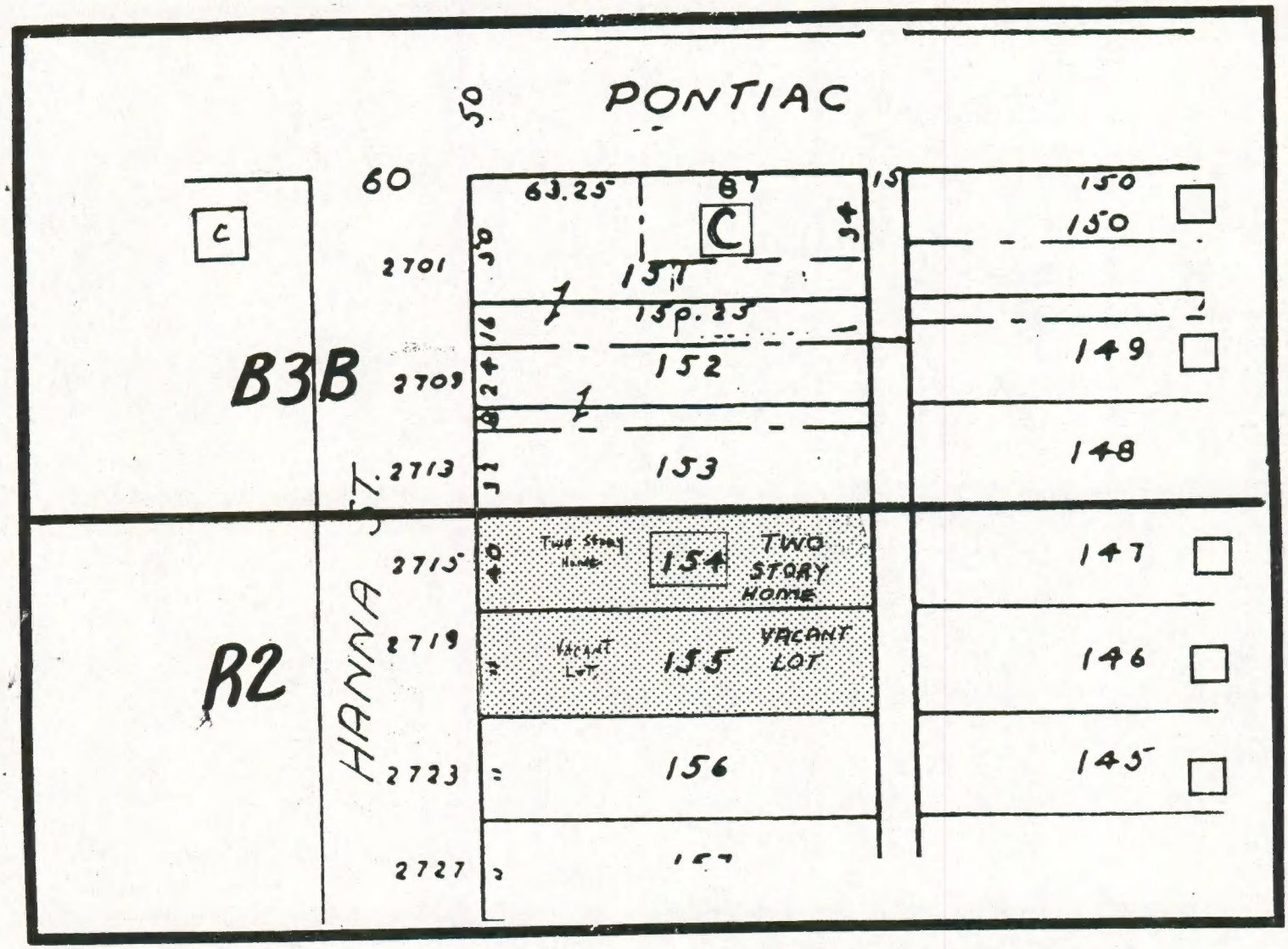
Robert Hutner
Secretary

REZONING PETITION # 477

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A B3B DISTRICT

MAP NO. N-3

COUNCILMANIC DISTRICT NO. 1



ZONING:

B3B GENERAL BUSINESS 'B'

R2 RESIDENTIAL DISTRICT

LAND USE:

□ SINGLE FAMILY

ⓒ COMMERCIAL

N

SCALE: 1" = 60'

DATE: 6-1-87